

# **EXHIBIT 5**

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**From:** Reddy, Srikanth K  
**Sent:** Tuesday, January 18, 2011 8:35 PM  
**To:** Robertson, Scott L; Albert, Jennifer A; Young, David M; Strapp, Michael; Stein, Andrew N.; Clements, James D; Lessard, Albert M; Hayes, Melanie  
**Subject:** FW: Withdrawal of Additional Shamos Slides  
**Attachments:** ShamosInvalidity20110117B.pdf^

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**From:** Eric R. Chad [mailto:EChad@merchantgould.com]  
**Sent:** Tuesday, January 18, 2011 8:30 PM  
**To:** Reddy, Srikanth K; Strapp, Michael  
**Subject:** Withdrawal of Additional Shamos Slides

Srikanth and Michael,

Based on discussions with our team, and in the interest of streamlining Dr. Shamos's testimony, we will withdraw the following slides:

1  
3  
5  
15  
20  
21  
26  
30  
35  
70  
86  
89  
98  
111-123  
132-136  
146  
148  
149  
165

Deleting some of these slides impacted other slides that reference them. As a result, we have made minor modifications to 127 and 128 to remove references to other claim elements.

As we discussed today, for a number of slides we removed material that was originally included in the slides. As discussed this afternoon, we do intend to use trial exhibits cited in Exhibit 3 via Trial Director to prove the claim elements for which they are cited.

Any idea when you might be available for a meet and confer? We would prefer to address these issues between the parties tonight. Kirstin and I remain available.

Best,  
Eric

7/5/2011

**Eric R. Chad**

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